

## 63C Am. Jur. 2d Property § 15

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### Property

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### III. Kinds and Classifications of Property

#### B. Real Property

## § 15. Tenements

[Topic Summary](#) | [Correlation Table](#) | [References](#)

### West's Key Number Digest

West's Key Number Digest, [Property](#)  1, 3, 4

The word “tenement,” in its broadest sense, embraces more than the word “land,” and includes everything which may be subject to an interest, provided it is of a permanent nature.<sup>1</sup> As used in American jurisdictions, the word “tenement” is generally applied exclusively to land, or to what is usually denominated a real property.<sup>2</sup>

An estate or interest to amount to a tenement should be a freehold at least and, hence, a term for years does not come within the meaning of the word.<sup>3</sup> In a different and still more restricted sense, a tenement is a house or building.<sup>4</sup>

Rents accruing to land have been classified as a tenement,<sup>5</sup> and sometimes also as an incorporeal hereditament,<sup>6</sup> as real property,<sup>7</sup> or as a chattel real.<sup>8</sup> However, the rents due from a tenant after his or her tenancy has terminated are a mere debt, not connected with the lands.<sup>9</sup>

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### Footnotes

<sup>1</sup> Orchard v. Wright-Dalton-Bell-Anchor Store Co., 225 Mo. 414, 125 S.W. 486 (1909); Wood v. Galpert, 27 Ohio Op. 2d 454, 93 Ohio L. Abs. 545, 199 N.E.2d 900 (C.P. 1964), judgment aff'd, 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

<sup>2</sup> Orchard v. Wright-Dalton-Bell-Anchor Store Co., 225 Mo. 414, 125 S.W. 486 (1909).

<sup>3</sup> Orchard v. Wright-Dalton-Bell-Anchor Store Co., 225 Mo. 414, 125 S.W. 486 (1909).

<sup>4</sup> Orchard v. Wright-Dalton-Bell-Anchor Store Co., 225 Mo. 414, 125 S.W. 486 (1909).

<sup>5</sup> Wood v. Galpert, 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

<sup>6</sup> § 16.

<sup>7</sup> § 12.

<sup>8</sup> § 23.

<sup>9</sup> Wood v. Galpert, 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

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